

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE  
ATHLETIC ASSOCIATION STUDENT-  
ATHLETE CONCUSSION LITIGATION**

MDL NO. 2492

Master Docket No. 1:13-cv-09116

Judge John Z. Lee

Magistrate Judge M. David Weisman

**JOINT STATUS REPORT ON SETTLEMENT IMPLEMENTATION**

The Settlement Class and the National Collegiate Athletic Association, through their respective counsel of record, and in accordance with the Court's Minute Entry directing the parties to file a status report on any developments in the medical monitoring program by June 25, 2021, hereby state the following:

**Update on Settlement Statistics and Program Participation**

1. As of June 18, 2021, 2,523 Settlement Class Members have successfully registered to participate in the Medical Monitoring Program.
2. Of the 2,523 registered Settlement Class Members, 975 (39%) have completed and submitted the full Screening Questionnaire.
3. Of those 975 Settlement Class Members, 225 (23% of those submitting a Screening Questionnaire) have been informed that they are Qualifying Class Members and are eligible for an in-person Medical Evaluation based on the results of their Screening Questionnaire (as determined by the cut scores defined by the Medical Science Committee).
4. Of the 225 Qualifying Class Members, 94 (42% of all Qualifying Class Members) have scheduled, or are in the process of scheduling, in-person Medical Evaluations.

5. Because other Qualifying Class Members have been slow to schedule appointments, the Program Administrator continues a weekly outreach campaign to encourage other Qualifying Class Members to schedule their Medical Evaluations. To this point, the Program Administrator has successfully contacted 89 (40%) Qualifying Class Members to encourage them to schedule an appointment.

6. The Program Administrator anticipates a higher percentage of Qualifying Class Members will schedule in-person Medical Evaluations over the coming months, as more individuals are immunized against COVID-19 and as COVID-related restrictions are loosened across the country.

7. In addition, 750 Settlement Class Members (77% of those submitting a Screening Questionnaire) have been informed that they are currently not eligible for an in-person Medical Evaluation based on the results of their Screening Questionnaire (as determined by the cut scores defined by the Medical Science Committee).

8. The Program Administrator continues to notify all Settlement Class Members who submit Screening Questionnaires of their Medical Evaluation eligibility status within 30 days of submission, as per the Settlement Agreement.

**Update Regarding Online Advertising Campaign and  
the Parties' Ongoing Efforts to Drive Participation**

9. During the last status hearing before the Court on March 11, 2021, the Court authorized the parties to utilize \$5,000 for the payment of an online advertising campaign designed to increase participation in the Medical Monitoring Program.

10. On April 6, 2021, the Program Administrator initiated an online advertising campaign designed to increase participation in the Medical Monitoring Program. The campaign

ran through May 5, 2021 (30 days) and consisted of custom ads appearing on the Google Display Network, Facebook, and Instagram.

11. By traditional measures, the campaign was highly effective, resulting in 6.4 million impressions (views) and 16,500 clicks. The campaign, however, did not result in a material increase in registrations or questionnaire submissions on the settlement website.

12. The parties and the Program Administrator are currently reevaluating the Program Administrator's activities, including an assessment of the recent advertising to ensure the correct audience was reached and a review of the layout and functionality on the settlement website to ensure registration is simple and intuitive.

13. The Program Administrator continues to pursue strategies for increasing participation in the Medical Monitoring Program, including future email campaigns. For example, the Program Administrator is considering the resumption of email blast campaigns for new audiences as a means of improving participation statistics. In April and August of 2020, the Program Administrator initiated email blast campaigns to all individuals who had submitted a ‘Stay Informed’ request on the settlement website. Each of these email blast campaigns resulted in a significant increase in registrations, with these time periods accounting for 76% of all registrations on the website.

**Update Regarding Program Location Network Construction**

14. As of June 18, 2021, the Program Administrator has contracted with at least one Program Location in 32 (94%) of the 34 target cities.

15. Complete coverage (contracts with both clinical neuropsychologists and neurologists) has been achieved in 24 (71%) of the 34 target cities.

16. The Program Administrator has completed training and orientations with Program Locations in all 32 cities within which a Program Location is contracted. There are 97 total

Program Locations (each with one or more clinical neuropsychologists and/or neurologists) active and available for scheduling Medical Evaluations with Qualifying Class Members.

17. Of the 225 Qualifying Class Members as of June 18, 2021, 165 (73%) have an active (ready to schedule) Neuropsychology Program Location within 150 miles of their residence and 162 (72%) have both an active Neuropsychology and Neurology Program Location within 150 miles of their residence.

18. Contract negotiation, training, orientation, and activation activities continue for all Program Locations that are not yet actively scheduling Medical Evaluations.

\*\*\*

We thank the Court for its ongoing time and attention and welcome any questions it may have at this time or at a later date.

Date: June 25, 2021

Respectfully submitted,

By: /s/ Robert C. Collins III (with permission)

Mark S. Mester

*mark.mester@lw.com*

Johanna Spellman

*johanna.spellman@lw.com*

Robert C. Collins III

*robert.collins@lw.com*

LATHAM & WATKINS LLP

330 North Wabash Avenue, Suite 2800

Chicago, IL 60611

312.876.7700

Fax: 312.993.9767

*Counsel for NCAA*

By: /s/ Daniel J. Kurowski

Steve W. Berman

*steve@hbsslaw.com*

HAGENS BERMAN SOBOL SHAPIRO LLP

1301 Second Avenue, Suite 2000

Seattle, WA 98101

206.623.7292

Fax: 206.623.0594

Daniel J. Kurowski

*dank@hbsslaw.com*

HAGENS BERMAN SOBOL SHAPIRO LLP

455 N. Cityfront Plaza Dr., Suite 2410

Chicago, IL 60611

708.628.4949

Fax: 708.628.4950

*Settlement Class Counsel*

**CERTIFICATE OF SERVICE**

The undersigned, an attorney, hereby certifies that on June 25, 2021 a true and correct copy of the foregoing was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record.

By: /s/ Daniel J. Kurowski